

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM GRUSTAS,

Plaintiff,

v.

KEMPER CORPORATE
SERVICES, INC., et al.,

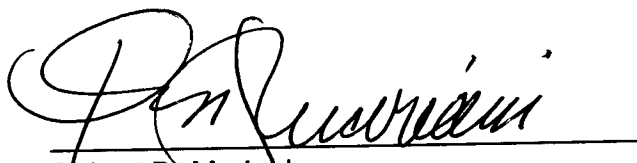
Defendants.

3:18-CV-1053
(JUDGE MARIANI)

ORDER

AND NOW, THIS 10th DAY OF JANUARY, 2019, upon review of Magistrate Judge Carlson's Report and Recommendation ("R&R") (Doc. 12) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 12) is **ADOPTED** for the reasons set forth therein.
2. Defendants' Motion to Dismiss Count II (bad faith claim) of Plaintiff's Complaint (Doc. 9) is **GRANTED**. Count II is **DISMISSED WITHOUT PREJUDICE**, and Plaintiff shall have leave to amend his Complaint with respect to this Count within **twenty-one (21) days** from the date of this Order.
3. This action is **REMANDED** to Magistrate Judge Carlson for further pretrial proceedings in accordance with this Court's December 13, 2018 Order (Doc. 11).


Robert D. Mariani
United States District Judge